

REMARKS

Claims 1-17 have been rejected. Claims 1, 4, 9-11, 14 and 16 have been amended, claims 7, 8, 13, 15, and 17 have been cancelled, and new claims 18-21 are added. Reconsideration of the application is requested.

Claim Rejections – 35 U.S.C. § 102

1. In “Claim Rejections – 35 USC § 102,” item 2 on page 2 of the above-identified Office Action, claims 1-17 have been rejected as being unpatentable over U.S. Patent Application No. 2002/0052192 (hereinafter “Yamazaki”) under 35 U.S.C. § 102(e).

Applicants have cancelled claims 7, 8, 15 and 17, which renders their rejections moot.

Independent claim 14 is amended to recite a wireless mobile phone comprising:

“a plurality of components coupled to each other configured to facilitate wireless telephony communication by a user, with the components being equipped to operate in at least a selected one of a first mode and a second mode, wherein a first plurality of user functions are available while the components are configured to operate in the first mode, and a second plurality of user functions are available while the components are configured to operate in the second mode; and
operating logic configured to operate the components in said first mode without authentication of the user, and to operate the components in said second mode if the user is successfully authenticated.”

The Examiner cites paragraphs 19, 20 and 48 of Yamazaki as teaching of the recitations in independent claim 14. In the cited paragraphs, Yamazaki teaches that the authentication results may be kept with the mobile device itself or transmitted to a destination terminal. But it does not say how the authentication result would affect the operation of the mobile device. In contrast, claim 14 recites that the mobile phone may be configured to work in two different modes depending on the result of user authentication. Specifically, Yamazaki fails to teach that “a first plurality of user functions are available … in the first mode, and a second plurality of user functions are available … in the second mode” as recited in claim 14.

Therefore, Yamazaki fails to teach each and every element of claim 14. So, amended claim 14 is patentable over Yamazaki under 35 U.S.C. §102 (e). Claim 15 depends from claim

14, incorporating its limitations. Accordingly, for at least the same reasons, claim 15 is patentable over Yamazaki under 35 U.S.C. §102 (e).

Independent claims 1, 9 and 16 incorporate in substance above discussed recitations of claim 14. Therefore, due to at least the reasons set forth for claim 14, Applicants submit that claims 1, 9 and 16 are patentable over Yamazaki under 35 U.S.C. §102 (e). Claims 2-6 depend from claim 1 and claims 10-12 depend from claim 9, incorporating their limitations respectively. Accordingly, for at least the same reasons, claim 2-6 and 10-12 are patentable over Yamazaki under 35 U.S.C. §102 (e).

2. Applicants have amended independent claims 1 and 9 to further facilitate prosecution of the instant application.

Independent claim 1 is amended to recite a wireless mobile phone comprising:

“a plurality of components coupled to each other configured to facilitate wireless telephony communication by a user;

an input mechanism configured to facilitate input of a finger print of the user, comprising one or more capacitors, and one or more sensors coupled to the one or more capacitors to sense electrical interactions with the user’s finger, and to output signals indicating the user’s fingerprint; and

an operating logic configured to receive the output signals from the input mechanism and operate the plurality of components in a first mode if the user is not successfully authenticated based at least on the output signals, wherein a first plurality of user functions are available in the first mode, and the operating logic is further configured to operate the plurality of components in a second mode if the user is successfully authenticated based at least on the output signals, wherein a second plurality of user functions are available in the second mode.”

On page 2 of the above-identified Office Action, the Examiner cites paragraphs 19, 20 and 48 of Yamazaki as teaching of the recitations in claim 1. However, Applicants respectfully submit that those cited paragraphs fail to teach what is recited in amended claim 1.

Paragraph 19 of Yamazaki teaches that for a mobile device, fingerprint may be used for authentication of user identity, and an image sensor may be used to sense the fingerprint. Paragraph 20 of Yamazaki teaches the mobile device may comprise an image sensor, memory, means to collate sensed fingerprint with information stored in the memory. Paragraph 48 of Yamazaki teaches that light sources may be integrated with the mobile device for the purpose of fingerprint sensing, and beams reflected from user’s palm may be sensed by image sensor pixels. Neither the cited paragraphs nor the entire Yamazaki disclose that the mobile phone comprises

“one or more capacitors, and one or more sensors coupled to the one or more capacitors to sense electrical interactions with the user’s finger, and to output signals indicating the user’s fingerprint” as recited in claim 1. What is disclosed in Yamazaki is an optical way for a mobile device to conduct fingerprint sensing. Therefore, Yamazaki fails to teach each and every elements of amended claim 1. So, claim 1 is patentable over Yamazaki under 35 U.S.C. § 102(e).

Independent claim 9 is amended to recite in substance the same features as claim 1. Therefore, due to at least the reasons set forth for claim 1, claim 9 is also patentable over Yamazaki under 35 U.S.C. § 102(e).

Additionally, on page 3-4 of the above-identified Office Action, the Examiner cites paragraphs 35-39 of Yamazaki as disclosure of claims 5, 6 and 12. Paragraphs 35-39 of Yamazaki are description of the drawings. None of such descriptions teaches that “a reader is employed to facilitate provision of a reference finger print via an identity card” as recited in claims 5, 6 and 12. In Yamazaki, it only teaches how the reference fingerprint information is stored in the memory. It does not disclose the way that the reference fingerprint is inputted. Therefore, Yamazaki fails to teach each and every feature of claims 5, 6 and 12, so claims 5, 6 and 12 are patentable over Yamazaki under 35 U.S.C. §102 (e).

Conclusion

In view of the foregoing, reconsideration and allowance of claims are solicited. Applicant submits that claims are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1513. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,
SCHWABE, WILLIAMSON & WYATT, P.C.

Dated: March 12, 2008

/Al AuYeung/

Al AuYeung
Reg. No. 35,432

Schwabe, Williamson & Wyatt, P.C.
Pacwest Center, Suites 1600-1900
1211 SW Fifth Avenue
Portland, Oregon 97204
Telephone: 503-222-9981